UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NEW YORK

EBER BROTHERS WINE & LIQUOR CORP.

Plaintiff(s)

-vs-

02-Cv-6229T

TEAMSTERS LOCAL UNION NO. 118, et al

Defendant(s)

The Court having been advised that the above action has been settled, it is hereby,

ORDERED, that the above action is hereby dismissed with prejudice. The Court retains jurisdiction over the effectuation of the settlement.

SO ORDERED.

MICHAEL A. TELESCA

United States District Judge

Dated: June 19, 2006